

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

CIVIL ACTION
NO. 05-11443-GAO

ETHAN THOMAS
Plaintiff,

VS.

NEW ENGLAND FAST FERRY OF
MASSACHUSETTS, LLC
Defendant.

DEFENDANT'S REQUEST FOR SPECIAL JURY QUESTIONS

It is respectfully requested that the Court submit to the jury the following questions:

- 1.(a) Has the plaintiff proven by a preponderance of the evidence that the defendant was negligent?

Yes _____ No _____

- (b) If so, has the plaintiff proven by a preponderance of the evidence that defendant's negligence was the direct and substantial cause of the plaintiff's injury?

Yes _____ No _____

- 2.(a) Has the defendant proven by a preponderance of the evidence that the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority was negligent?

Yes _____ No _____

- (b) If so, has the defendant proven by a preponderance of the evidence that Woods Hole, Martha's Vineyard and Nantucket Steamship Authority 's negligence was a contributing cause of the plaintiff's injury?

Yes _____ No_____

If the answer to Question 1(a) is "No," proceed no further and report to the Court that you have reached a verdict. If the answer to Question 1(a) is "Yes" and the answer to Question 1(b) is "No", proceed no further and report to the Court that you have reached a verdict.

3. Was the plaintiff, Mr. Thomas contributorily negligent?

Yes _____ No_____

4. State in what percentage Mr. Thomas' contributory negligence, the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority 's negligence, and the defendant's negligence caused or contributed to the injuries alleged.

Mr. Thomas' contributory negligence: _____ %

Woods Hole, Martha's Vineyard and Nantucket Steamship Authority's contributory negligence: _____ %

Defendant's negligence: _____ %
100%

- 5.(a) Has the plaintiff proven by a preponderance of the evidence that the plaintiff sustained damages as a result of the defendant's negligence?

Yes _____ No_____

- (b) If so, in what amount?

\$ _____

6.(a) Do you find the plaintiff entitled to prejudgment interest?

Yes _____ No_____

(b) If so, at what percentage (not to exceed 12%).

_____ %

By its attorneys,

CLINTON & MUZYKA, P.C.

"/s/Thomas J. Muzyka"
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